

13 VAC 5-51. VIRGINIA STATEWIDE FIRE PREVENTION CODE (amending 13 VAC 5-51-21, 13 VAC 5-51-31, 13 VAC 5-51-130 and 13 VAC 5-51-135; repealing 13 VAC 5-51-136 and 13 VAC 5-51-155).

13 VAC 5-51-21. Section 102.0. Applicability.

A. 102.1. General: The provisions of the SFPC shall apply to all matters affecting or relating to structures, processes and premises as set forth in Section 101.0. The SFPC shall supersede any fire prevention regulations previously adopted by a local government or other political subdivision.

B. 102.1.1. Changes: No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group of occupancies, unless such structure is made to comply with the requirements of this code and the USBC.

C. 102.2. Application to pre-1973 buildings and structures: Buildings and structures constructed prior to the USBC (1973) shall comply with the maintenance requirements of the SFPC to the extent that equipment, systems, devices, and safeguards which were provided and approved when constructed shall be maintained. Such buildings and structures, if subject to the state fire and public building regulations (Virginia Public Building Safety Regulations, VR 394-01-05) in effect prior to March 31, 1986, shall also be maintained in accordance with those regulations.

D. 102.3. Application to post-1973 buildings and structures: Buildings and structures constructed under any edition of the USBC shall comply with the maintenance requirements of the SFPC to

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the extent that equipment, systems, devices, and safeguards which were provided and approved when constructed shall be maintained.

E. 102.4. Referenced codes and standards: The codes and standards referenced in the IFC shall be those listed in Chapter 45 and considered part of the requirements of the SFPC to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

F. 102.5. Subsequent alteration: Subsequent alteration, enlargement, repair, or conversion of the occupancy classification of structures shall be subject to the current USBC.

G. 102.6. State structures: The SFPC shall be applicable to all state-owned structures in the manner and extent described in § 27-99 of the Code of Virginia.

H. 102.7. Relationship to USBC: Construction inspections of structures, other than state-owned structures, and the review and approval of their construction documents for enforcement of the USBC shall be the sole responsibility of the local building department.

I. 102.8. Existing structures: Upon the completion of structures, responsibility for fire safety protection shall pass to the local fire official or to the State Fire Marshal, who shall also have the authority, in cooperation with any local governing body, to enforce this code. The State Fire

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Marshal shall also have authority to enforce this code in those jurisdictions in which the local governments do not enforce this code.

J. 102.9. Inspections for USBC requirements: The fire official shall require that existing structures subject to the requirements of the applicable retrofitting provisions relating to the fire protection equipment and system requirements of the USBC, New Construction Code, ~~Section 423~~ Sections 103.7 and 3411 , comply with the provisions located therein.

13 VAC 5-51-31. Section 103.0. Incorporation by reference.

A. 103.1. General: The following document is adopted and incorporated by reference to be an enforceable part of the SFPC:

The International Fire ~~Code/2000 Code~~ Code – 2003 Edition , hereinafter referred to as " IFC," published by the International Code Council, Inc., 5203 Leesburg Pike, Suite 708, Falls Church, VA 22041-3401, phone 703-931-4533.

B. 103.1.1. Deletion: Delete IFC Chapter 1.

C. 103.2. Amendments: All requirements of the referenced codes and standards that relate to fees, permits, unsafe notices, disputes, condemnation, inspections, scope of enforcement and all

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other procedural, and administrative matters are deleted and replaced by the provisions of Chapter 1 of the SFPC.

D. 103.2.1. Other amendments: The SFPC contains provisions adopted by the Virginia Board of Housing and Community Development (BHCD), some of which delete, change or amend provisions of the IFC and referenced standards. Where conflicts occur between such changed provisions and the unchanged provisions of the IFC and referenced standards, the provisions changed by the BHCD shall govern.

Note: The IFC and its referenced standards contain some areas of regulation outside of the scope of the SFPC, as established by the BHCD and under state law. Where conflicts have been readily noted, changes have been made to the IFC and its referenced standards to bring it within the scope of authority; however, in some areas, judgment will have to be made as to whether the provisions of the IFC and its referenced standards are fully applicable.

E. 103.3. International Fire Code. Retroactive fire protection system requirements contained in the IFC shall not be enforced unless specified by the USBC.

13 VAC 5-51-130. IFC Section 202.0. Definitions.

A. Add the following definitions:

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Background clearance card: See section 3301.0.

Blaster, restricted: See section 3301.0.

Blaster, unrestricted: See section 3301.0.

DHCD: The Virginia Department of Housing and Community Development.

Local government, local governing body or locality: The governing body of any county, city, or town, other political subdivision and state agency in this Commonwealth charged with the enforcement of the SFPC under state law.

State Fire Marshal: The State Fire Marshal as provided for by § 36-139.2 of the Code of Virginia.

State Regulated Care Facility (SRCF): A building or part thereof occupied by persons in the care of others where program regulatory oversight is provided by the Virginia Department of Social Services; Virginia Department Mental Health, Mental Retardation and Substance Abuse Services; Virginia Department of Education or Virginia Department of Juvenile Justice (Groups R-2, R-3, R-4 and R-5).

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Technical Assistant: Any person employed by, or under contract to, a local enforcing agency for enforcing the SFPC.

TRB: The Virginia State Building Code Technical Review Board.

USBC: The Virginia Uniform Statewide Building Code (~~13 VAC 5-61-10 et seq.~~ 13 VAC 5-63)

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B. Change the following definition to read:

Code official, fire official or fire code official: The officer or other designated authority charged with administration and enforcement of this code, or a duly authorized representative. For the purpose of this code, the term "code official," "fire official", or "fire code official" shall have the same meaning as used in § 27-98.1 of the Code of Virginia.

13 VAC 5-51-135. IFC Chapter 9. Fire Protection Systems.

A. Delete section 901.4.3.

B. Change section 901.6 to read:

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901.6. Inspection, testing and maintenance. To the extent that equipment, systems, devices, and safeguards, such as fire detection, alarm and extinguishing systems, which were provided and approved by the building official when constructed, shall be maintained in an operative condition at all times. And where such equipment, systems, devices, and safeguards are found not to be in an operative condition, the fire official shall order all such equipment to be rendered safe in accordance with the USBC.

Exception: When the fire official determines through investigation or testing or reports by a nationally recognized testing agency that specific, required water sprinkler or water-spray extinguishing equipment has been identified as failing to perform or operate through not less than 30 randomly selected sprinkler heads at four or more building sites anywhere in the nation, the fire official shall order all such equipment to be rendered safe.

C. Change the following definition in section 902 to read:

Automatic fire-extinguishing system. An approved system of devices and equipment which automatically detects a fire and discharges an approved fire-extinguishing agent onto or in the area of a fire. Such system shall include an automatic sprinkler system, unless otherwise expressly stated.

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~~D. Delete section 903.1.2.~~

~~E. D.~~ Change item 1 in section 906.1 to read:

1. In Group A, B, E, F, H, I, M, R-1, R-4 and S occupancies.

~~13 VAC 5-51-136. IFC Chapter 14. Fire Safety During Construction and Demolition.~~
(Repealed.)

~~A. Change section 1410.1 to read:~~

~~1410.1. Required access. Approved vehicle access for fire fighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet (30,480 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Temporary vehicle access shall be maintained until permanent fire apparatus access roads are available.~~

~~B. Change section 1412.4 to read:~~

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~~1412.4. Water supply. Approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on site.~~

13 VAC 5-51-155. ~~IFC Chapter 45. Referenced Standards. (Repealed.)~~

Add new referenced standards as follows:

Standard reference Number	Title	Referenced in code section number
NFPA 13-99	Installation of Sprinkler Systems	Table 704.1, 903.3.1.1, 903.3.2, 903.3.5.1.1, 904.11, 907.9, 2308.2, 3403.3.7.5.1, 3404.3.8.4
NFPA 13D-99	Installation of Sprinkler Systems in One and Two-Family Dwellings and Manufactured Homes	913.1.2, 903.3.1.3, 903.3.5.1.1
NFPA 13R-99	Installation of Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height	903.1.2, 903.3.1.3, 903.3.5.1.1, 903.3.5.1.2, 903.4
NFPA 72-99	National Fire Alarm Code	509.1, Table 901.6.1, 903.4.1, 904.3.5,

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		<p>907.2, 907.2.1, 907.2.1.1, 907.2.10, 907.2.10.4, 907.2.11.2, 907.2.11.3, 907.2.12.2.3, 907.2.12.3, 907.3, 907.5, 907.6, 907.10.2, 907.11, 907.15, 907.17, 907.18, 907.20, 907.20.2, 907.20.5, 909.12, 909.12.3, 2309.3, 3904.1.6, 4004.1.7</p>
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DOCUMENTS INCORPORATED BY REFERENCE

2000 The International Fire Code - 2003 Edition , International Code Council, Inc. , 5203

Leesburg Pike, Suite 708, Falls Church, VA 22041-3401.